



## **BOARD OF APPEAL UNDER THE ZONING BY - LAW BRAINTREE, MASSACHUSETTS**

### **AGENDA**

**June 23, 2009**

The following petitions will be heard by the Zoning Board of Appeals on Tuesday, June 23, 2009, at 7:00 p.m. at the DPW Administration Building, Lower Level, 90 Pond Street, Braintree, Massachusetts.

#### **APPROVAL OF MINUTES:**

Acceptance of minutes of Appeals Board Hearing May 26, 2009.

#### **OLD BUSINESS**

- #09-03** Omni Point Communications, 25 Hayward Street, Braintree, MA to be reheard at the June 23<sup>rd</sup> ZBA Meeting.
- #09-16** St. Francis of Assisi Residences, 47 Independence Avenue, Braintree, MA to be reheard at the June 23<sup>rd</sup> ZBA Meeting.
- #09-17** St. Francis of Assisi Residences, 53 Independence Avenue, Braintree, MA to be reheard at the June 23<sup>rd</sup> ZBA Meeting.
- #09-18** St. Francis of Assisi Residences, 41 Independence Avenue, Braintree, MA to be reheard at the June 23<sup>rd</sup> ZBA Meeting.

#### **NEW PETITIONS**

- #09-19** Metro PCS Massachusetts, LLC, c/o Michael Johnsen, 36 Prospect Street, Reading, MA 01867 for relief from Bylaw requirements under Article 4, Chapter 135, Sections 135-407, Sections 135-1603(B)3 and Sections 135-403A to install six (6) wireless communication antennas and related equipment on the roof of #150 Grossman Drive. Nothing to exceed 10 feet above roof. The applicant seeks a permit, variance and/or finding that the proposed alteration is not substantially more detrimental to the neighborhood. The property is located at 150 Grossman Drive, Braintree, MA 02184 and is within a Highway Business District, as shown on Assessors Map 2019, Plot 1N, and contains a land area of 5.82 +/- Acres.

- #09-20** Harry Powers of 10 James Road, Harwich, MA 02643 for relief from Bylaw requirements under Article 4, Chapter 135, Sections 135-403, 407, 705, 806 to legalize basement apartment building to contain a total of four (4) dwelling units. The applicant seeks a permit, variance and/or finding that the proposed alteration is not substantially more detrimental to the neighborhood. The property is located at 302/304 Quincy Avenue, Braintree, MA 02184 and is within a Residential C District, as shown on Assessors Map 3050, Plot 34, and contains a land area of 6,000 +/- Sq. Ft.
- #09-21** Richard and Kathleen Pollara of 215 Middle Street, Braintree, MA 02184 for relief from Bylaw requirements under Article 4, Chapter 135, Sections 135-403, 407 and Article 7, Section 701 to install a 5' farmers porch with a side addition of 12' X 26' (2-story). The applicant seeks a permit, variance and/or finding that the proposed alteration is not substantially more detrimental to the neighborhood. The property is located at 215 Middle Street, Braintree, MA 02184 and is within a Residential B District, as shown on Assessors Map 2010, Plot 32, and contains a land area of 7,500 +/- Sq. Ft.
- #09-22** Patrick A. Plante and Maria A. Plante of 18 Grace Drive, Cohasset, MA 02025 for relief from Bylaw requirements under Article 2, Chapter 135, Section 135-202 (A) to appeal the action of the Building Inspector to cease operations of APEX Medical Supplies which has been in operation for over twelve years. The applicant seeks a permit, variance and/or finding that the proposed alteration is not substantially more detrimental to the neighborhood. The property is located at 555 Washington Street, Braintree, MA 02184 and is within a Residential A/C District, as shown on Assessors Map 2036, Plot 28.
- #09-23** New Cingular Wireless PCS, LLC ("AT&T"), c/o Douglas Wilkins, Anderson & Kreiger LLP, One Canal Park, Suite 200, Cambridge, MA 02141 for relief from Bylaw requirements under Article 4, Chapter 135, Section 135-403(A), Article 7, Chapter 135, Section 135-701, 135-1603(B)(3), Section 135-1603(B)(4) to upgrade to existing wireless communications facility located on the rooftop of building on property. AT&T seeks to remove and replace three existing antennas mounted on penthouse with six new additional antennas, and install additional equipment in existing equipment shelter on rooftop. The applicant seeks a permit, variance and/or finding that the proposed alteration is not substantially more detrimental to the neighborhood. The property is located at 10 Plain Street (a/k/a Hancock Avenue) and is within a Commercial District, as shown on Assessors Map 1031, Plot 5, and contains a land area of 1,152,597.6 +/- Sq. Ft.